

BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO INSTITUTE NECESSARY LEGAL ACTION THROUGH CONDEMNATION BY THE DECLARATION OF TAKING METHOD TO OBTAIN FEE SIMPLE TITLE TO THE REAL PROPERTIES DESCRIBED AND IDENTIFIED HEREIN BELOW, SAID PROPERTIES BEING LOCATED IN CLAYTON COUNTY AND NECESSARY FOR PUBLIC USE IN CONNECTION WITH THE FIFTH RUNWAY PROJECT AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, WITH THE COSTS THEREOF TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H26 571001 R21E052096AA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (hereinafter "City"), as owner and operator of the William B. Hartsfield Atlanta International Airport, (hereinafter "Airport") has undertaken the construction of an additional runway, referred to as the Fifth Runway Project, in an area located south of the Airport in the City of College Park and in unincorporated Clayton County; and

WHEREAS, it was and continues to be necessary for the City to acquire property located in Clayton County to accommodate the Fifth Runway Project; and

WHEREAS, in Section 2.1 of the March 16, 2000 Intergovernmental Agreement between Clayton County and the City of Atlanta, Clayton County gave its consent to the City to acquire by condemnation properties within Clayton County's jurisdiction for the Fifth Runway Project; and

WHEREAS, the City has been acquiring real property for the Fifth Runway Project from willing property owners through negotiation, pursuant to Resolution No. 01-R-0185, adopted by the Council on February 19, 2001, and approved by the Mayor on February 24, 2001; and

WHEREAS, the City has been acquiring real property for the Fifth Runway Project from unwilling sellers through condemnation pursuant to Ordinance No. 01-O-1867, adopted by the Council on December 3, 2001, and approved by the Mayor on December 11, 2001, said Ordinance being attached hereto as Exhibit A; and

WHEREAS, pursuant to City of Atlanta Ordinance 01-O-1867, the City Attorney, through her designee, filed an action to condemn a Clayton County property located at 5074 Southridge Parkway, College Park, Georgia 30337, under the declaration of taking method of condemnation, as authorized by O.C.G.A. § 32-3-1, *et seq.* The property owner appealed the condemnation award and moved to vacate the order and judgment condemning the property in an action styled *City of Atlanta v. Yusen Air & Sea Service Holdings, Inc.*, filed in the Superior Court of Clayton County, Civil Action No. 2002-CV-2423-8. On November 7, 2002, the Judge in the *Yusen Air* case entered an Order granting the condemnee's Petition to Set Aside, Vacate and Annul the City's Declaration of Taking of the 5074 Southridge Parkway property on the basis of a purported defect in City of Atlanta Ordinance 01-O-1867; and

WHEREAS, time is of the essence for the acquisition of the properties being condemned pursuant to City of Atlanta Ordinance 01-O-1867; and

WHEREAS, the City is currently appealing the *Yusen Air* Order of November 7, 2002, however does not want to risk having future condemnations vacated while the appeal is pending; and

WHEREAS, the City desires to re-authorize the City's condemnation of the properties set forth in City of Atlanta Ordinance 01-O-1867 and to correct the purported defect described in the *Yusen Air* Order of November 7, 2002, and other alleged defects asserted by the condemnee; and

WHEREAS, of the properties set forth in City of Atlanta Ordinance 01-O-1867, the following properties have not yet been acquired through negotiation with the Owner(s), or through condemnation: (1) 4883-4901 Milan Drive, College Park, Georgia 30349, Tax ID Nos. 13-055B-C-011, 13-055B-C-010 and 13-055B-C-009; (2) the Vacant Land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-C-0044; (3) the Vacant Land on Turner Road and Hambrick Road, College Park, Georgia 30349, Tax ID No. 13-055D-A-001; (4) 916 Lees Mill Road, College Park, Georgia 30349, Tax ID No. 13-056B-B-002; (5) 5110 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-71B-00A-002; (6) 5119 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-71B-00A-0004; (7) 5132 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-72A-00A-0002; (8) the vacant Land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-00C-0003; (9) the vacant land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-00C-0025; (10) the property on the south east side of Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055A-B-001; (11) 795 Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055A-A-002; (12) 5091 Derrick Jones Road, College Park, Ga. 30349, Tax ID No. 13-056D-A-001; (13) 5139 Southridge Parkway, College Park, Ga. 30349, Tax ID No. 13-056C-A-004; and (14) 5136 Southridge Parkway, College Park, Ga. 30349, Tax ID No. 13-056C-A-003 (collectively hereinafter referred to as "the Properties"); and

WHEREAS, City of Atlanta Ordinance 01-O-1867 established that the cost incurred by the City in connection with condemning all of the properties set forth in said Ordinance must not exceed \$149,000,000.00; and

WHEREAS, it is anticipated that the cost of condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867, including the anticipated cost of the condemnations of the Properties, will not exceed \$149,000,000.00, and therefore no further funds must be allocated for the condemnation of the Properties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That the public necessity for immediately acquiring the Properties for public use associated with the Fifth Runway Project is hereby declared; and, further, a finding is hereby made that the circumstances are such that it is necessary to proceed with condemnation proceedings by use of the declaration of taking method of condemnation, as authorized by O.C.G.A. § 32-3-1, *et seq.*, and use of that method is hereby authorized to acquire and obtain fee simple title to the Properties.

Section 2. That the City Attorney be and hereby is authorized and the City Attorney or her designee be and hereby is directed, with respect to the Properties, to institute condemnation proceedings in the name of the City of Atlanta for the condemnation of said Properties and of every interest therein, for the public uses above set forth, as provided by the Constitution of the State of Georgia, and to use the declaration of taking method as provided in the above referenced laws; provided, however, that once the condemnation proceedings have been filed, and should the opportunity for settlement between the parties develop, the Aviation General Manager or his designee, with the advice and coordination of the City Attorney or her designee, is hereby authorized to enter into settlement negotiations and/or agreements in an effort to resolve and/or settle the condemnation case.

Section 3. That the Mayor of the City of Atlanta is hereby authorized and directed, to sign, for the City of Atlanta, the Declarations of Taking prepared in connection with the condemnation of the Properties.

Section 4. That the cost incurred by the City in condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867, including but not limited to the cost incurred by the City in connection with the foregoing, shall not exceed \$149,000,000.00, and shall be paid from Fund Account Center No. 2H26 571001 R21E052096AA.

Section 5. That the Chief Financial Officer be and is hereby authorized and directed to make all necessary and proper payments required in connection with the foregoing, upon receipt of a requisition therefore from the Aviation General Manager or the City Attorney and to make all necessary and proper payments in connection with the title searches, appraisals, surveys, specialty reports, closings and/or condemnation actions pursuant to this Ordinance.

Section 6. That, in the unanticipated event that any particular condemnation award causes the costs incurred by the City in condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867 to exceed \$149,000,000.00, the Chief Financial Officer is hereby authorized and directed to pay said award and any additional awards of condemnation actions already filed, if not appealed, but no further condemnation actions regarding any of the Properties shall be filed prior to the City Council's authorizing the expenditure of additional funds.

Section 7. That the City Attorney be and hereby is authorized to engage the services of outside attorneys and expert witnesses to assist with the condemnation and/or closing of said Properties.

AN ORDINANCE

03-0 -0085

BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO INSTITUTE NECESSARY LEGAL ACTION THROUGH CONDEMNATION BY THE DECLARATION OF TAKING METHOD TO OBTAIN FEE SIMPLE TITLE TO THE REAL PROPERTIES DESCRIBED AND IDENTIFIED HEREIN BELOW, SAID PROPERTIES BEING LOCATED IN CLAYTON COUNTY AND NECESSARY FOR PUBLIC USE IN CONNECTION WITH THE FIFTH RUNWAY PROJECT AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, WITH THE COSTS THEREOF TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H26 571001 R21E052096AA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (hereinafter "City"), as owner and operator of the William B. Hartsfield Atlanta International Airport, (hereinafter "Airport") has undertaken the construction of an additional runway, referred to as the Fifth Runway Project, in an area located south of the Airport in the City of College Park and in unincorporated Clayton County; and

WHEREAS, it was and continues to be necessary for the City to acquire property located in Clayton County to accommodate the Fifth Runway Project; and

WHEREAS, in Section 2.1 of the March 16, 2000 Intergovernmental Agreement between Clayton County and the City of Atlanta, Clayton County gave its consent to the City to acquire by condemnation properties within Clayton County's jurisdiction for the Fifth Runway Project; and

WHEREAS, the City has been acquiring real property for the Fifth Runway Project from willing property owners through negotiation, pursuant to Resolution No. 01-R-0185, adopted by the Council on February 19, 2001, and approved by the Mayor on February 24, 2001; and

WHEREAS, the City has been acquiring real property for the Fifth Runway Project from unwilling sellers through condemnation pursuant to Ordinance No. 01-O-1867, adopted by the Council on December 3, 2001, and approved by the Mayor on December 11, 2001, said Ordinance being attached hereto as Exhibit A; and

WHEREAS, pursuant to City of Atlanta Ordinance 01-O-1867, the City Attorney, through her designee, filed an action to condemn a Clayton County property located at 5074 Southridge Parkway, College Park, Georgia 30337, under the declaration of taking method of condemnation, as authorized by O.C.G.A. § 32-3-1, *et seq.* The property owner appealed the condemnation award and moved to vacate the order and judgment condemning the property in an action styled *City of Atlanta v. Yusen Air & Sea Service Holdings, Inc.*, filed in the Superior Court of Clayton County, Civil Action No. 2002-CV-2423-8. On November 7, 2002, the Judge in the *Yusen Air* case entered an Order granting the condemnee's Petition to Set Aside, Vacate and Annul the City's Declaration of Taking of the 5074 Southridge Parkway property on the basis of a purported defect in City of Atlanta Ordinance 01-O-1867; and

WHEREAS, time is of the essence for the acquisition of the properties being condemned pursuant to City of Atlanta Ordinance 01-O-1867; and

WHEREAS, the City is currently appealing the *Yusen Air* Order of November 7, 2002, however does not want to risk having future condemnations vacated while the appeal is pending; and

WHEREAS, the City desires to re-authorize the City's condemnation of the properties set forth in City of Atlanta Ordinance 01-O-1867 and to correct the purported defect described in the *Yusen Air* Order of November 7, 2002, and other alleged defects asserted by the condemnee; and

WHEREAS, of the properties set forth in City of Atlanta Ordinance 01-O-1867, the following properties have not yet been acquired through negotiation with the Owner(s), or through condemnation: (1) 4883-4901 Milan Drive, College Park, Georgia 30349, Tax ID Nos. 13-055B-C-011, 13-055B-C-010 and 13-055B-C-009; (2) the Vacant Land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-C-0044; (3) the Vacant Land on Turner Road and Hambrick Road, College Park, Georgia 30349, Tax ID No. 13-055D-A-001; (4) 916 Lees Mill Road, College Park, Georgia 30349, Tax ID No. 13-056B-B-002; (5) 5110 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-71B-00A-002; (6) 5119 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-71B-00A-0004; (7) 5132 Riverdale Road, College Park, Georgia 30349, Tax ID No. 13-72A-00A-0002; (8) the vacant Land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-00C-0003; (9) the vacant land on Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055B-00C-0025; (10) the property on the south east side of Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055A-B-001; and (11) 795 Terrell Mill Road, College Park, Georgia 30349, Tax ID No. 13-055A-A-002 (collectively hereinafter referred to as "the Properties"); and

WHEREAS, City of Atlanta Ordinance 01-O-1867 established that the cost incurred by the City in connection with condemning all of the properties set forth in said Ordinance must not exceed \$149,000,000.00; and

WHEREAS, it is anticipated that the cost of condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867, including the anticipated cost of the condemnations of the Properties, will not exceed \$149,000,000.00, and therefore no further funds must be allocated for the condemnation of the Properties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That the public necessity for immediately acquiring the Properties for public use associated with the Fifth Runway Project is hereby declared; and, further, a finding is hereby made that the circumstances are such that it is necessary to proceed with condemnation proceedings by use of the declaration of taking method of condemnation, as authorized by O.C.G.A. § 32-3-1, *et seq.*, and use of that method is hereby authorized to acquire and obtain fee simple title to the Properties.

Section 2. That the City Attorney be and hereby is authorized and the City Attorney or her designee be and hereby is directed, with respect to the Properties, to institute condemnation proceedings in the name of the City of Atlanta for the condemnation of said Properties and of every interest therein, for the public uses above set forth, as provided by the Constitution of the State of Georgia, and to use the declaration of taking method as provided in the above referenced laws; provided, however, that once the condemnation proceedings have been filed, and should the opportunity for settlement between the parties develop, the Aviation General Manager or his designee, with the advice and coordination of the City Attorney or her designee, is hereby authorized to enter into settlement negotiations and/or agreements in an effort to resolve and/or settle the condemnation case.

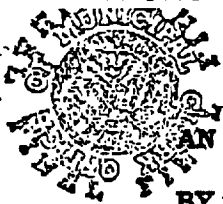
Section 3. That the Mayor of the City of Atlanta is hereby authorized and directed, to sign, for the City of Atlanta, the Declarations of Taking prepared in connection with the condemnation of the Properties.

Section 4. That the cost incurred by the City in condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867, including but not limited to the cost incurred by the City in connection with the foregoing, shall not exceed \$149,000,000.00, and shall be paid from Fund Account Center No. 2H26 571001 R21E052096AA.

Section 5. That the Chief Financial Officer be and is hereby authorized and directed to make all necessary and proper payments required in connection with the foregoing, upon receipt of a requisition therefore from the Aviation General Manager or the City Attorney and to make all necessary and proper payments in connection with the title searches, appraisals, surveys, specialty reports, closings and/or condemnation actions pursuant to this Ordinance.

Section 6. That, in the unanticipated event that any particular condemnation award causes the costs incurred by the City in condemning all of the properties set forth in City of Atlanta Ordinance 01-O-1867 to exceed \$149,000,000.00, the Chief Financial Officer is hereby authorized and directed to pay said award and any additional awards of condemnation actions already filed, if not appealed, but no further condemnation actions regarding any of the Properties shall be filed prior to the City Council's authorizing the expenditure of additional funds.

Section 7. That the City Attorney be and hereby is authorized to engage the services of outside attorneys and expert witnesses to assist with the condemnation and/or closing of said Properties.

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY TRANSPORTATION COMMITTEE

01-0-1867

AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO INSTITUTE NECESSARY LEGAL ACTION THROUGH CONDEMNATION OR ANY OTHER METHOD PROVIDED BY LAW TO OBTAIN FEE SIMPLE TITLE TO THE REAL PROPERTY WITHIN THE AREA OF THE PROPOSED FIFTH RUNWAY PROJECT SOUTH OF HARTSFIELD ATLANTA INTERNATIONAL AIRPORT IN THE CITY OF COLLEGE PARK AND IN UNINCORPORATED CLAYTON COUNTY, WITH THE COSTS THEREOF NOT TO EXCEED \$149,000,000.00 TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H26 571001 R21E052096AA; REPEALING CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, as owner and operator of The William B. Hartsfield Atlanta International Airport, has undertaken the construction of an additional runway, referred to as the Fifth Runway Project, in an area located south of the Airport in the City of College Park and in unincorporated Clayton County; and

WHEREAS, the City has undertaken the acquisition of the real property for the Fifth Runway Project and the relocation of the residents and businesses situated on such property under a Land Acquisition/Relocation Program pursuant to Resolution No. 01-R-0185, adopted by the Council on February 19, 2001, and approved by the Mayor on February 24, 2001, and funded with revenues generated from the imposition of a Passenger Facility Charge (PFC Funds) and allocated for such purpose, which authorized purchase of same from willing sellers; and

WHEREAS, it will be necessary to institute condemnation proceedings in Clayton County under the State law of eminent domain to acquire all of the property required for the Fifth Runway Project from owners unwilling to sell their property through negotiation; and

WHEREAS, in Section 2.1 of the March 16, 2000 Intergovernmental Agreement between Clayton County and the City of Atlanta, Clayton County has given its consent to the City to acquire by condemnation properties within its jurisdiction for the expansion of the Fifth Runway Project from 6,000 feet to 9,000 feet; and

WHEREAS, it is necessary, pursuant to Section 2-1541(b)(3) of the Atlanta City Code, to authorize the City Attorney to take appropriate legal action to obtain fee simple title to such property, as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That the public necessity for immediately acquiring all of the property within the limits of the established boundaries of said Fifth Runway Project to serve the above stated purposes is hereby declared; and, further, a finding is hereby made that the circumstances are such that it is necessary to proceed with condemnation proceedings by use of declarations of taking as a method of condemnation, as authorized by O.C.G.A. § 32-3-1, *et seq.*, and use of that method is hereby authorized for acquisition of properties within the area shown on the drawing attached hereto as Exhibit A and made a part hereof by reference.

EXHIBIT

tabbier
A



Section 2. That the City Attorney be and hereby is authorized and the City Attorney or her designee be and hereby is directed in each instance and with respect to each parcel of real property located within the project boundaries to institute condemnation proceedings in the name of the City of Atlanta for the quick and effective condemnation of said properties and of every interest therein, for the public uses above set forth, as provided by the Constitution of the State of Georgia and to use the Declaration of Taking method as provided in the above referenced laws or in the alternative the Special Master method of taking as provided in the Georgia Code, O.C.G.A. § 22-2-100, et seq.; provided, however, that once the condemnation proceedings have been filed, and should the opportunity for settlement between the parties develop, the Aviation General Manager or his designee, with the advice and coordination of the City Attorney or her designee, is hereby authorized to enter into settlement negotiations and/or agreements in an effort to resolve and/or settle the condemnation cases.

Section 3. That the cost incurred by the City in connection with the foregoing shall not exceed \$149,000,000.00 and shall be paid from Fund Account Center No. 2H26 571001 R21E052096AA.

Section 4. That the Chief Financial Officer be and is hereby authorized and directed to make all necessary and proper payments required in connection with the foregoing, upon receipt of a requisition therefor from the Aviation General Manager or the City Attorney and to make all necessary and proper payments in connection with the title searches, appraisals, surveys, specialty reports, closings and/or condemnation actions pursuant to this Ordinance.

Section 5. That the City Attorney be and hereby is authorized to engage the services of outside attorneys and expert witnesses to assist with the condemnation and/or closing of said properties.

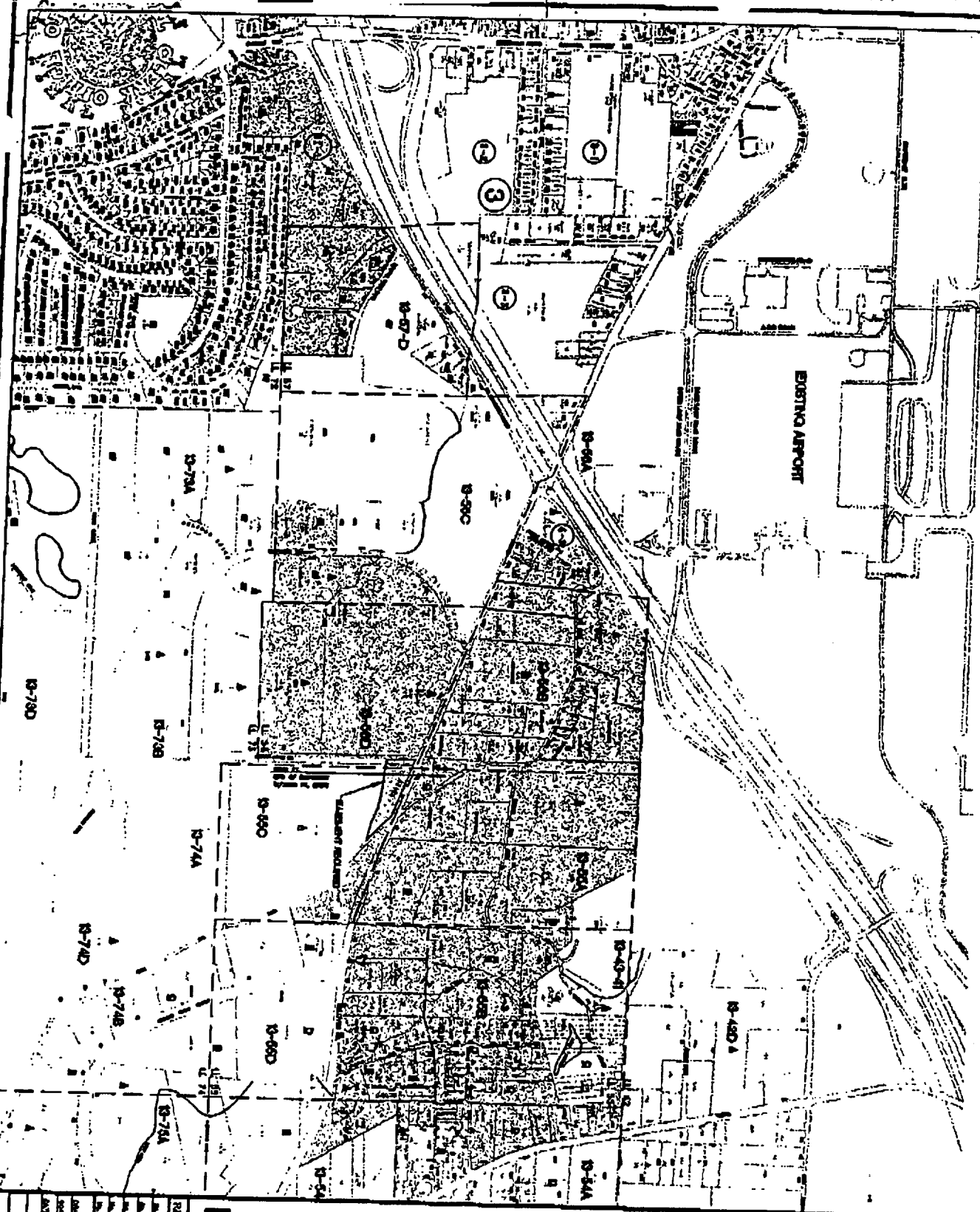
Section 6. That all ordinances or parts of ordinances in conflict herewith be and hereby are repealed.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

DEC 03, 2001
DEC 11, 2001



Hartsfield Atlanta
International Airport

5TH RUNWAY
LAND ACQUISITION

LEGEND

EXHIBIT A

REVISIONS

DATE IN. IN.
SCALE: AS SHOWN
AND: 10/18

44 Hartsfield Atlanta
International Airport

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

Attorney's Signature: _____

From: Originating Dept. Law

Contact: Robin Shahar 404-330-6487

Committees of Purview: TC

Committee Deadline: 11/15/02

Committee Meeting Dates: 1/29/03, 2/12/03

Council Meeting: 2/17/03

CAPTION:

AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO INSTITUTE NECESSARY LEGAL ACTION THROUGH CONDEMNATION BY THE DECLARATION OF TAKING METHOD TO OBTAIN FEE SIMPLE TITLE TO THE REAL PROPERTIES DESCRIBED AND IDENTIFIED HEREIN BELOW, SAID PROPERTIES BEING LOCATED IN CLAYTON COUNTY AND NECESSARY FOR PUBLIC USE IN CONNECTION WITH THE FIFTH RUNWAY PROJECT AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, WITH THE COSTS THEREOF TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H26 571001 R21E052096AA; AND FOR OTHER PURPOSES.

BACKGROUND/DISCUSSION:

This ordinance is very similar to two ordinances passed by the City Council in December 2002. The necessity for all of these papers arose after a ruling in November 2002 by a Clayton County Superior Court Judge regarding an appeal on one of the Airport's condemnations. (City of Atlanta vs. Yusen Air, et al.).

The Airport has been condemning properties needed for the Fifth Runway Project pursuant to Atlanta Ordinance number 01-O-1867 (attached to this legislation as Exhibit A). The Judge in the Yusen Air case vacated an award of condemnation, finding that Atlanta Ordinance 01-O-1867 was legally insufficient. The two December ordinances re-authorized the condemnation that was vacated in the Yusen Air case, and re-authorized four other condemnations that had been appealed on the basis of the legal sufficiency of Atlanta Ordinance 01-O-1867. The purpose of the attached ordinance is to re-authorize all of the remaining condemnations that were previously authorized by Atlanta Ordinance 01-O-1867 and have not yet been filed. The attached ordinance corrects the alleged ordinance defect discussed in the Yusen Air Order, and corrects all other ordinance defects alleged by the condemnee in the Yusen Air case. Though the City is appealing the Yusen Air decision, the Airport can not afford the time delay that would be caused by additional condemnations being vacated.

The money set aside for these condemnations in Atlanta Ordinance 01-O-1867 is sufficient to cover the costs that will arise from the remaining condemnations that are at issue in the attached ordinance. Therefore, no additional funds need to be set aside.

FINANCIAL IMPACT: None

SOURCE: 2H26 571001 R21E052096AA

**AN ORDINANCE
BY CITY UTILITIES**

03- 0 -0057

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A CONSTRUCTION GRANT IN THE AMOUNT OF EIGHTEEN THOUSAND DOLLARS AND NO CENTS (\$18,000.00) FROM THE GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY (GEFA) FOR THE CONSTRUCTION OF THE GREENROOF PILOT PROJECT.

WHEREAS, greenroof development involves the creation of contained green space on top of a human-made structure, and

WHEREAS, the City of Atlanta intends on generating reliable technical data on greenroof performance in areas such as energy efficiency, stormwater retention, the extension of roof membrane life span and plant survival, and

WHEREAS, the lowering of the urban heat island effect can be achieved through the natural vegetative processes of photosynthesis and evapotranspiration, offering a healthier environment by lowering ambient air temperatures, absorbing CO₂ and other pollutants, filtering air, binding dust particles, and reducing glare, and

WHEREAS, impervious cover has become a function of contemporary land uses, and the changes in land use/cover have dramatically contributed to a degradation of air and water quality as well as overburdening of our stormwater systems, and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA THAT:

Section 1: The Mayor is hereby authorized and empowered to accept grant funding from the Georgia Environmental Facilities Authority in an amount not to exceed \$18,000.00 for the construction of the greenroof pilot project.

TRANSFER FROM APPROPRIATIONS

2J21 632101 B00001	State Entitlements	<u>\$18,000.00</u>
	Total	<u>\$18,000.00</u>

TRANSFER TO APPROPRIATIONS

2J21 774001 Q27J0910KEN0	Facilities Other Than Building	\$18,000.00
	Total	<u>\$18,000.00</u>

SECTION 2: That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.